



Express Mail No.: EL 477 033 139 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Möhler et al.

Serial No.: 09/972,799

Group Art Unit: 1614

Filed: October 5, 2001

Examiner: To be assigned

For: SELECTIVE ANXIOLYTIC
THERAPEUTIC AGENTS

Attorney Docket No.: 9261-005

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents
Attention: Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, ("Notice"), which was mailed on November 8, 2001 (a copy of which is attached hereto), Attorneys for Applicants respectfully submit herewith an original Declaration and Power of Attorney executed by Möhler Hanns and Uwe Rudolph on December 11, 2001.

The fee required to be filed with the accompanying Declaration and Power of Attorney has been estimated to be \$65.00 (small entity). Two Verified Statements Claiming Small Entity Status Under 37 C.F.R. § 1.27(a)(1) are submitted concurrently herewith. Please charge any required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date December 20, 2001

Thomas E. Friebe 29,258
Thomas E. Friebe (Reg. No.)

By: William Thomann 40,203
William Thomann (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, N.Y. 10036
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**REQUEST TO ESTABLISH SMALL ENTITY STATUS
AND TRANSMITTAL OF VERIFIED STATEMENTS CLAIMING
SMALL ENTITY STATUS AND REQUEST FOR REFUND**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Attorneys for Applicants request that Small Entity Status be established and submit herewith two original executed Verified Statements Claiming Small Entity Status Under 37 C.F.R. § 1.27(a)(1) from Möhler Hanns and Uwe Rudolph, the inventors of the invention described in the above-identified application. It is requested that the Verified Statements be made of record in the file of the above-identified patent application.

Further, it is requested that a refund of \$806.00, which is one-half of the filing fees paid on October 5, 2001, be deposited in Pennie & Edmonds LLP Deposit Account No. 16-1150. This request for refund is in accordance with 37 C.F.R. §§ 1.27(c) and 1.28(a) in that the request is being made within three months of the payment of the full filing fee. A duplicate copy of this sheet is enclosed for accounting purposes.

Respectively submitted,

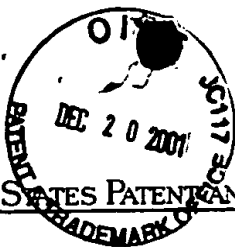
Date: December 20, 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/972,799 /	10/05/2001	Mohler Hanns	9261-005

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

CONFIRMATION NO. 5224

FORMALITIES LETTER



Date Mailed: 11/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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